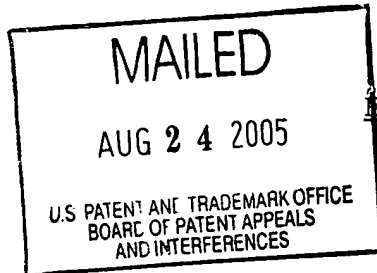


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte ERIN M. BOURKE-DUNPHY
and
JEFF A. ZIMNIEWICZ

Application No. 09/710,143

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on July 7, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On September 20, 2004, appellants filed a Reply Brief. In response to appellants' Reply Brief, the examiner mailed a Supplemental Examiner's Answer on March 25, 2005. On May 25, 2005, appellants filed a Supplemental Reply Brief in response to the Supplemental Examiner's Answer. There is no indication in the record that the examiner has responded to appellants' Supplemental Reply Brief filed on May 25, 2005.

Application No. 09/710,143

Accordingly, it is

ORDERED that the application is returned to the examiner to properly respond to appellants' Supplemental Reply Brief filed on May 25, 2005, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

CRAIG R. FEINBERG
Program and Resource Administrator
(571) 272-9797

cc: Amin & Turocy, LLP
24th Floor, National City Center
1900 East Ninth Street
Cleveland, OH 44114

CRF/clm/pb